IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.R.UDAYABHANU

TUESDAY, THE 13TH MARCH 2007 / 22ND PHALGUNA 1928

Crl.Rev.Pet.No. 3062 of 2005(C)

CRA.864/2004 of SESSIONS COURT, KOZHIKOE
CC.469/2003 of JUDL.MAGISTRATE OF FIRST CLASS-II, THAMARASSERY
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REVN. PETITIONER: ACCUSED.

SHABEER ALI P.A. S/O.AHAMMED,
PUVALOOR HOUSE, THIRUVAMBADI AMSOM,
KOZHIKODE.

BY ADV. SRI.M.ASOKAN
SRI.DEVAPRASANTH.P.J.

RESPONDENTS: COMPLAINANT.
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1. SIDDIQUE, S/O.AHAMMED KUTTY HAJI,
ERUKADAN MEETHAL (H) , KAKKAD AMSOM, KARASSERI DESOM,
KOZHIKODE.

2. THE STATE OF KERALA, REPRESENTED BY
THE PUBLIC PROSECUTOR, HIGH COURT OF KERALA.

BY ADV. SRI C.M. KAMMAPPU, PUBLIC PROSECUTOR

THIS CRIMINAL REVISION PETITION HAVING BEEN FINALLY HEARD ON 13/03/2007 , THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

ORDER ON CRL. M.A. NO. 20912/2005 IN CRL. R.P. NO. 3062/2005

DISMISSED

13.03.2007 SD/- K.R. UDAYABHANU, JUDGE.

/True Copy/

P.A to Judge.

K.R. UDAYABHANU, J

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CRL. R.P. NO. 3062 OF 2005

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Dated this the 13th day of March 2007

O R D E R

The revision petitioner stands convicted for the offence under section 138 of the Negotiable Instruments Act and sentenced, as modified by the appellate court, to undergo simple imprisonment for three months and to pay a compensation of Rs.3,15,000/- and in default to undergo simple imprisonment for three months.

2. The revision petitioner has only sought for modification of sentence. In the circumstances, sentence is modified to imprisonment till rising of the court. The latter portion of the sentence is confirmed. The revision petitioner is granted three months time from today onwards to pay the amount of compensation. The revision petitioner shall appear before Judicial First Class Magistrate-II, Thamarassery on **25.04.2007** to receive sentence. Non bailable warrant is not to be executed till then.

K.R. UDAYABHANU, JUDGE.

RV